IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No. 5532 of 2004

Date of Decision:22.6.2004

BHARAT SANCHAR NIGAM LTD
Versus
AHMEDABAD URBAN DEVELOPMENT AUTHORITY

(for full cause title, see next sheet)

Coram:

The Hon'ble Mr.Justice Bhawani Singh, Chief Justice

The Hon'ble Mr.Justice H.K.Rathod, Judge

Whether approved for reporting?

Appearance:
1. Special Civil Application No. 5532 of 2004
MR KETAN A DAVE for Petitioner No. 1
NOTICE SERVED BY DS for Respondent No. 1-2

PER: BHAWANI SINGH, CHIEF JUSTICE (ORAL):-

Learned Counsel Shri Ketan A. Dave for the petitioner. None for the respondents though served.

Bharat Sanchar Nigam Ltd. wants to install Base

Trans Receiver Station (BTS), Shelter and Antenna on the

Whether reporters of Local Papers may be allowed to see the Judgment?

roof of N.G. Tower of Astron Offices Co-Operative Housing Society Ltd. Opposite Fun Republic, Satellite Cross Roads, Ahmedabad. For doing so, it applied to the Ahmedabad Electricity Company Ltd. for supply of electricity and the Ahmedabad Urban Development Authority for permission to install the same.The petitioner also submits that permission for installation of BTS, Shelter and Antenna without BUP has already been given in favour of Bharati Cellular (AIRTEL). The respondents have not appeared to contest the claim although they have been served. Therefore, taking into consideration that this kind of permission has already been granted in favour of Bharati Cellular (AIRTEL) and the fact that the petitioner is not the owner of the building and other necessary documents have been filed/furnished and that the residents of Ahmedabad should not be deprived of modern equipments in the field of communication, petition is allowed. Respondent Ahmedabad Electricity Co. Ltd. is directed to supply electricity to the petitioner within a period of fifteen days after compliance of the procedure for the purpose by the petitioner. Respondent AUDA will grant Development Permission/Installation Permission to the petitioner for the purpose sought for within fifteen days. This petition is disposed of accordingly. Direct Service is permitted.

[BHAWANI SINGH]
CHIEF JUSTICE

[H.K.RATHOD]
JUDGE

Vyas